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PTO/SB/05 (11-00)  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 05166P008

First Inventor or Application Identifier Mark Rumer

Title ETHERNET BASED TDM SWITCH

Express Mail Label No. EL651820615US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification Total Pages   
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross References to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets

5. Oath or Declaration Total Pages   
a. ☒ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CFR)  
b. ☐ Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ Paper  
c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))  
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)  
11. ☐ English Translation Document (if applicable)  
12. ☐ Information Disclosure Statement (IDS)/PTO - 1449 ☐ Copies of IDS Citations  
13. ☐ Preliminary Amendment  
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
16. ☒ Request and Certification under 35 USC 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.  
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_/\_\_\_\_\_

Prior application Information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label



\*08791\*

or ☐ Correspondence address below

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Raul D. Martinez, Reg. No. 46,904

Signature

*Raul D. Martinez*

Date

04/25/01

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# FEE TRANSMITTAL

## for FY 2001

*Patent fees are subject to annual revision.*

**TOTAL AMOUNT OF PAYMENT** (\$) **750.00**

### Complete if Known

|                        |            |
|------------------------|------------|
| Application Number     |            |
| Filing Date            |            |
| First Named Inventor   | Mark Rumer |
| Examiner Name          |            |
| Group Art Unit         |            |
| Attorney Docket Number | 05166P008  |

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

☒ Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 710      | 201          | 355      | Utility filing fee     | \$710    |
| 106          | 320      | 206          | 160      | Design filing fee      |          |
| 107          | 490      | 207          | 245      | Plant filing fee       |          |
| 108          | 710      | 208          | 355      | Reissue filing fee     |          |
| 114          | 150      | 214          | 75       | Provisional filing fee |          |

**SUBTOTAL (1)** (\$) **710.00**

#### 2. EXTRA CLAIM FEES

|                    | Extra Claims | Fee from below | Fee Paid         |
|--------------------|--------------|----------------|------------------|
| Total Claims       | 13           | -20** = 0      | X \$18.00 = 0.00 |
| Independent Claims | 3            | -3** = 0       | X \$80.00 = 0.00 |
| Multiple Dependent |              |                |                  |

#### Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description   |
|----------|----------|----------|----------|---|
| 103      | 18       | 203      | 9        | Claims in excess of 20                                    |
| 102      | 80       | 202      | 40       | Independent claims in excess of 3                         |
| 104      | 270      | 204      | 135      | Multiple Dependent claim                                  |
| 109      | 80       | 209      | 40       | **Reissue independent claims over original patent         |
| 110      | 18       | 210      | 9        | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$) **0.00**

\*\*or number of previously paid, if greater. For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEE

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,520    | 147          | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112          | 920      | 112          | 920      | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840    | 113          | 1,840    | Requesting publication of SIR after Examiner action                        |          |
| 115          | 110      | 215          | 55       | Extension for response within first month                                  |          |
| 116          | 390      | 216          | 195      | Extension for response within second month                                 |          |
| 117          | 890      | 217          | 445      | Extension for response within third month                                  |          |
| 118          | 1,390    | 218          | 695      | Extension for response within fourth month                                 |          |
| 128          | 1,890    | 228          | 945      | Extension for response within fifth month                                  |          |
| 119          | 310      | 219          | 155      | Notice of Appeal   |          |
| 120          | 310      | 220          | 155      | Filing a brief in support of an appeal                                     |          |
| 121          | 270      | 221          | 135      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 110      | 240          | 55       | Petition to revive - unavoidably   |          |
| 141          | 1,240    | 241          | 620      | Petition to revive - unintentionally                                       |          |
| 142          | 1,240    | 242          | 620      | Utility issue fee (or reissue)   |          |
| 143          | 440      | 243          | 220      | Design issue fee   |          |
| 144          | 600      | 244          | 300      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123          | 50       | 123          | 50       | Petitions related to provisional applications                              |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) | 40       |
| 146          | 710      | 246          | 355      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149          | 710      | 249          | 355      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179          | 710      | 279          | 355      | Request for Continued Examination (RCE)                                    |          |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **40.00**

### SUBMITTED BY

|                       |                                   |                         |          |
|-----------------------|-----------------------------------|-------------------------|----------|
| Typed or Printed Name | Raul D. Martinez, Reg. No. 46,904 | Reg. Number             |          |
| Signature             | <i>Raul D. Martinez</i>           | Date                    | 04/25/01 |
|                       |                                   | Deposit Account User ID | 02-2666  |

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122 (B)(2)(B)(i)**

First Named Inventor Mark Rumer

Title ETHERNET BASED TDM SWITCH

Attorney Docket No 05166P008

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

04/25/01

Date

*Raul D Martinez*

Signature

Raul D. Martinez, Reg. No. 46,904

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**